Insurers and Courts Err in Resisting SARS-CoV-2 Science

By Micah E. Skidmore | September 10, 2021

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Recent opinions from courts and commentators have criticized policyholders' reliance on scientific research to establish the physical changes wrought by SARS-CoV-2 on property for purposes of business interruption claims. These reactionary arguments generally fall into two categories: (1) those that would substitute factual assumptions for scientific evidence; and (2) those that would attempt to diminish or ignore the import of research studies confirming electrochemical interaction between the Coronavirus and airborne particulate matter and common property surfaces, like wood, metal, fabrics and glass. Both approaches are erroneous, and neither can justify insurers' continued denial of COVID-19 business interruption claims.

Read the full alert here.

If you have any questions about pandemic-related business interruption coverage or about insurance recovery in general, please contact one of Haynes Boone's Insurance Recovery Practice Group partners listed below.

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